

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 3717 of 2019

- Janki Pal S/o Late Vishram Pal Aged About 38 Years R/o Ward No. 08, Pakka Dhouda, Khongapani, Police Station- Jhagrakhand, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Jhagrakhand, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Non-applicant

For Applicant : Mr. A. Hussain, Advocate.
 For Non-applicant : Mr. SRJ Jaiswal, Panel Lawyer
 For complainant : Mr. Atul Kesharwani, Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

19.06.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No.179/2018 registered at Police Station – Jhagrakhand District – Korea (C.G.) for the offence punishable under Section 307 of the Indian Penal Code.
3. Case of the prosecution, in brief is that applicant is the husband of complainant Sangita Pal. On 11.10.2018 applicant caused injury on the neck of the complainant by some sharp object. As per the query report the Doctor opined that if the complainant could not have treated, she might have died.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that one criminal case under Gambling Act has been registered against the applicant.
6. As per the affidavit of complainant Sangita Pal a dispute was arisen between her and applicant, during buffeting injury was caused as she fell down, she has no objection in granting bail to the applicant.
7. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE